

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ALBERT MCCARTHY,	:	CIVIL ACTION
	:	
Plaintiff,	:	
v.	:	
JEFFREY S. DARMAN, et al.,	:	No. 07-CV-3958
Defendants.	:	

ORDER

AND NOW, this 24th day of June, 2009, it is hereby ORDERED that Plaintiff's Motion for Partial Summary Judgment as to Plaintiff's claims under 42 U.S.C. § 1983 is DENIED. Defendants' Motion for Summary Judgment as to Plaintiff's § 1983 is GRANTED. Furthermore, the Court declines to exercise supplemental jurisdiction. Plaintiff's state law claims are, therefore, DISMISSED with leave to Plaintiff to re-file them in state court.

BY THE COURT:

s/J. Curtis Joyner
J. CURTIS JOYNER, J.